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**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK**

WENGER S.A.,	)	
	)	
<i>Plaintiff,</i>	)	
	)	
v.	)	
	)	
FUZHOU HUNTER PRODUCT IMPORT AND	)	Civil Action No. 1:14-cv-00637-WMS-HKS
EXPORT CO., LTD., KRUMMHOLZ	)	
INTERNATIONAL, INC., SWISSDIGITAL	)	
USA CO., LTD., SWISSGEAR SARL, and	)	
ZHIJIAN "HUNTER" LI,	)	
	)	
<i>Defendants.</i>	)	

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**DECLARATION OF ZHIJIAN "HUNTER" LI IN SUPPORT OF DEFENDANTS'  
MOTION TO DISMISS**

I, Zhijian "Hunter" Li, declare as follows:

1. I am the principal and legal representative of Swissgear Sarl.
2. Swissgear Sarl is owned by Quanzhou Huimei Bags & Luggages Co., Ltd. Swissgear Sarl was previously owned by a British Virgin Islands entity, Swissgear Group S.A.
3. Swissgear Sarl and has no ownership interest in Krummholz International, Inc., Fuzhou Hunter Product Import and Export Co., Ltd, or Swissdigital USA Co., Ltd. and does not exercise any control over the activities of these parties.
4. Swissgear Sarl is a Swiss technology company that makes products including digital watches, backpacks, and wallets that utilize smart technology.
5. Swissgear Sarl operates entirely in Switzerland and does no business in the United States, nor does it make, sell, or offer for sale any of its products in the U.S.

6. Swissgear Sarl was not present at the 2015 CES in Las Vegas, nor has it ever attended any tradeshow in the United States.

7. Swissgear Sarl's former website, [www.swissgearsarl.ch](http://www.swissgearsarl.ch), was created in Switzerland and was at all times hosted and maintained in Switzerland. Swissgear Sarl has not sold or offered to sell any products to the U.S. through its website.

8. Swissgear Sarl owns a valid trademark for its "Swissgear" mark in Switzerland. Attached as Exhibit A is a true and correct copy of Swissgear Sarl's trademark registration.

9. Attached as Exhibit B is a true and correct copy of the Swiss Federal Institute of Intellectual Property's provisional refusal of International Registration No. 978731.

10. Attached as Exhibit C is a true and correct copy of the European Union Intellectual Property Office ("EUIPO") Board of Appeals decision issued on September 20, 2016 concerning European Union trade registration No 7 197 783 for "Swissgear."

11. Attached as Exhibit A is a true and correct copy of Li Liling's registered copyright with Registration No.: Guo Zuo Deng Zi-2016-F-00285758.

12. Attached as Exhibit E is a true and correct copy of the Swiss Federal Institute of Intellectual Property's Swissreg Extract for Trademark no. 578017, dated August 17, 2016.

13. I have been advised that the German district court made a preliminary finding that Wenger's "Swissgear" mark, marks incorporating the Swiss flag, and related marks are misleading and constitute unfair competition. I have also been advised that China, Norway, Russia, Iceland, and other countries have also denied registration or cancelled registration of Wenger's "Swissgear" mark, marks incorporating the Swiss flag, and related marks.

14. I am not a director of Fuzhou Hunter.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that this declaration was executed on January 4 ~~2018~~ 2017.

A handwritten signature in cursive script, appearing to read "Li Zhijian", written over a horizontal line.

Zhijian "Hunter" Li